

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2960 of 2005

Between:

L.Krishna Reddy, S/o Late L. Akki Reddy,
Zilla Parishad High School, Dharmavaram, Mahabubnagar District R/o Alampur
Village,
Vallur Taluq, Mahabubnagar District.

..... PETITIONER

AND

- 1 The Secretary to the Government of Andhra Pradesh, School Education Department, Andhra Pradesh Secretariat Buildings, Hyderabad.
- 2 The Regional Joint Director, School Education, VI Zone, Kachiguda, Hyderabad.
- 3 The District Educational Officer, Mahabubnagar Post and Mandal, Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, order or direction more particularly one in the nature of Writ of mandamus declaring the action of respondents for not permitting me to join the duties by keeping pending of my representation dated 14-10-2004 and not including my name in the list of Gazetted Head Masters due for retirement in the 2005 is illegal, arbitrary and unconstitutional apart from this, it is the violation of fundamental rights guaranteed under Article 21 and 14 of Constitution of India.

Counsel for the Petitioner: MR D VENKAT REDDY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not permitting the petitioner to join the duties by keeping his representation dated 14.10.2004 pending and not including his name in the list of Gazetted Head Masters due for retirement in the year 2005 as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education and perused the material on record.

The petitioner, while working as Head Master, seems to have availed both the Earned Leave and also Half-pay Leave from 13.7.2000 to 20.3.2001 on medical grounds. When he made an application to the leave sanctioning authority for grant of Special Leave on medical grounds from 21.3.2001 to 19.9.2001, it was rejected, vide letter dated 18.8.2001. Therefore, he made a representation, dated 14.10.2004 and appropriate decision has to be taken by the 2nd respondent in accordance with the rules and regulations.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 2nd respondent to take appropriate decision

on the representation of the petitioner, dated 14.10.2004 and pass appropriate orders in accordance with the rules and regulations within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

18th February, 2005.

bcj

To

- 1 The Secretary to the Government of Andhra Pradesh, School Education Department, Andhra Pradesh Secretariat Buildings, Hyderabad.
- 2 The Regional Joint Director, School Education, VI Zone, Kachiguda, Hyderabad.
- 3 The District Educational Officer, Mahabubnagar Post and Mandal, Mahabubnagar District.
- 4 Two C.Cs. to the Government Pleader for School Education, High Court Buildings, Hyderabad (OUT)
- 5 Two C.D. copies.